

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 11:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Jill Rivera, Deputy Clerk.

F052893 Cecilia M. v. The Superior Court of Stanislaus Co.; Stanislaus Co. Community Services Agency

Cecilia M., petitioner in propria persona did not appear. Linda Macy, Esq., Deputy County Counsel, counsel for real party waived oral argument.

Cause ordered submitted.

The court adjourns.

F051536 In re Raul C., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F051536 In re Raul C., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F050101 People v. Dixon, Jr.

The judgment is affirmed. The trial court shall correct the abstract to reflect that trial was by the court and distribute new copies to the appropriate authorities. Wiseman, Acting P.J.

We concur: Cornell, J.; Dawson, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

F049797 People v. Marks

Appellant's petition for rehearing filed herein is denied.

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F049842 People v. Solorzano

The personal knife use enhancement in count two is ordered stricken from the judgment. The matter is remanded with directions to the court to exercise sentencing discretion solely as to the prison term prior (§ 667.5, subd. (a)) and to issue, and to send to each interested party a certified copy of, an amended abstract of judgment. Otherwise, the judgment is affirmed. Gomes, J.

We concur: Wiseman, Acting P.J.; Hill, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

F049646 People v. Miller et al.

The judgment as to Reed is affirmed. Miller's conviction not being at issue, the judgment of conviction as to Miller is affirmed. Miller's judgment of sentence, however, is vacated the matter remanded to the trial court for resentencing. Gomes, J.

We concur: Vartabedian, Acting P.J.; Wiseman, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

F052949 City of Turlock v.WCAB

The judgment is affirmed with modifications.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F051505 People v. Simth

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F051505 People v. Smith**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F050935 McIntyre et al. v. Heart N Soul Tax Services of Vallejo, Inc.**
Filed modification of opinion (no change in judgment). Kane, J.
We concur: Gomes, Acting P.J.; Hill, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F051584 People v. Leiva**
The above-entitled case is submitted for decision.
- F051584 People v. Leiva**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F051185 People v. Preciado**
IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.
- F049479 Friant Water Authority v. County of Madera et al.**
F049860 Friant Water Authority v. County of Madera et al.
The judgment in case No. F049860 is reversed. Costs to appellant FWA. The appeal in case No. F049479 is dismissed. Ardaiz, P.J.
We concur: Levy, J.; Kane, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]